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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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7590 03/23/2005

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EXAMINER	
CHUONG, TRUC T	
ART UNIT	**PAPER NUMBER**
2179	

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/608,336	SAREL, ODED	
	Examiner	Art Unit	
	Truc T Chuong	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 November 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 June 2003* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is responsive the Amendment, filed 11/19/04.

2. Claims 1-22 are pending in this application. In the Amendment, claims 1 and 21 are independent claims, and claims 1 and 21 are amended. This action is made final.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3, 6-10, 12-13, 15-16, and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Microsoft Screen Captures (herein after Screen Capture, Microsoft Windows Version 4.0, Copyright 1981-1998, Figures 1-11).

From Microsoft Windows, go to Internet Explorer Browser → Tools (fig. 2) → Internet Options... to open the Internet Options screen (fig. 3) → select Privacy settings (fig. 3) by moving the slider along the internal boundaries inside a variation range of continuous parameters (figs. 3-8). There are associating labels for each internal region of the setting with some recommendations (or comments) for each related region (figs. 3-8). There are similar settings for Security (figs. 9-11).

As to claim l, Screen Capture teaches a parameter evaluation system comprising:

a boundary input device configured for setting internal boundaries in a variation range of one or more continuous parameters, thereby to define a plurality of internal regions within said variation range (selecting Privacy settings (fig. 3) by moving the slider along the internal boundaries inside a variation range of continuous parameters, and figs. 3-8),

a label input device configured for associating labels with said regions (fig. 3),

a rule input device configured for setting rules to associate at least one of a plurality of output recommendations with each of said internal regions and with combinations thereof (each setting associating with a different comment and recommendation, figs. 3-8), and

an output device configured to present a user with an output recommendation associated with a respective internal region or combination thereof, said output recommendation corresponding to at least one measured parameter input to said system (measure parameters such as low, medium, high, etc., figs. 4-8).

As to claim 2, Screen Capture teaches the system of claim 1, wherein said boundary input device comprises a bar having a length representative of a variation range of a respective parameter (the slider and ranges, fig. 3-8).

As to claim 3, Screen Capture teaches the system of claim 2, wherein said boundary input device further comprises slidable boundary points for sliding along said length and wherein said regions are defined between said slidable boundary points (the slider and ranges, fig. 3-8).

As to claim 6, Screen Capture teaches the system of claim 1 in which said label input device is operable to label at least one of said regions with one of a group of categories (the recommendations when setting Medium and Medium High having some similarities in concept, figs. 5-6).

As to claim 7, Screen Capture teaches the system of claim 6 in which at least one of said categories is associated with a procedure for making automatic contact with a remote site (i.e., the computer users in a company can be set to a same level of security and if any manually security change made to the workstation by the user of that workstation will be automatically noted by the controller/Administrator).

As to claim 8, Screen Capture teaches the procedure utilizes any one of a group comprising Internet messaging, telephone messaging, paging and fax messaging to reach said remote site (the Internet and Email use in the Microsoft Windows).

As to claim 9, Screen Capture teaches the system of claim 1, further comprising an interface for connecting a measuring device thereto (the measuring device is hardware and software running in the computer to detect the settings/changes, and then set the appropriate security level for that computer based on the user settings).

As to claim 10, Screen Capture teaches the system of claim 9 further comprising a measuring device attached to said interface for providing to said system a measured parameter (it can be rejected under similar explanation as claim 9 above).

As to claim 12, Screen Capture teaches the system of claim 1, further comprising a list of at least one symptom, selectable by a user and classifiable by said user according to degree of severity, and wherein said rule input device is usable to set rules which incorporate said rule input device with said parameters to produce said output (low to high levels of security can be set the computer, figs. 3-8).

As to claim 13, Screen Capture teaches the system oh claim 1 wherein at least one parameter is signable to influence an output (it can be rejected under similar explanation as claim 12 above).

As to claim 15, Screen Capture teaches the system of claim 1, comprising a further output device, operable to output measurement data to show at least one of alarms, trends and data patterns (a warning comment when setting Block All Cookies, fig. 8, or high security level, fig. 10).

As to claim 16, Screen Capture teaches the system of claim 1, further comprising a unified messaging hierarchy for communicating using a hierarchy of messaging modes (fig. 11).

As to claim 21, this is a method claim of system claim 1. Note the rejection of claim 1 above.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft Screen Captures (herein after Screen Capture, Microsoft Windows Version 4.0, Copyright 1981-1998, Figures 1-11).

As to claims 4 and 5, Screen Capture teaches the system of claim 3 wherein said label input device is operable to associate one of a plurality of labeling with at least one of said regions

(figs. 3-11). Although, Screen Capture does not mention of labeling in different colors, it would have been obvious to a person with ordinary skill in the art to label the regions in different colors to improve visualization when the user is working on the tasks.

7. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft Screen Captures (herein after Screen Capture, Microsoft Windows Version 4.0, Copyright 1981-1998, Figures 1-11) in view of Whitworth (U.S. Pub. No. US 2001/0034717 A1).

As to claim 14, Screen Capture does not teach the measurement is inputtable to said system over a telephone via sound recognition apparatus able to interrogate a user and understand sound responses. Whitworth disclosed voice recognition software to translate necessary data ([0099] of page 5). It would have been obvious at the time of the invention, a person with ordinary skill in the art would want to be able to use Voice Recognition of Whitworth in the Window Screen Capture to help the users in utilizing the system when there is no ordinary keyboard to type such as PDAs or cellular phones.

8. Claims 11, 17, 19-20, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft Screen Captures (herein after Screen Capture, Microsoft Windows Version 4.0, Copyright 1981-1998, Figures 1-11) in view of Woodring et al. (U.S. Pub. No. 2003/0062045 A1).

As to claim 11, Screen Capture does not teach the system of claim 1, wherein said parameter is a body medical parameter. Woodring teaches of setting the parameters on the medical device to control and monitor patient's conditions (e.g., [0084-0085], and figs. 33-35). It would have been obvious at the time of the invention, a person with ordinary skill in the art

would want to view the patient's information of Woodring in the Window Screen Capture to be able to utilize many of the user friendly features of Windows on the medical device.

As to claim 17, Screen Capture in view of Woodring teaches the system of claim 1, wherein said boundary input device comprises:

a visual representation of said variation range as a linear continuum, a continuum divider for visually dividing said continuum at user selectable points therealong, said points corresponding to values of said parameter, thereby to define regions therebetween (note the rejection of claim 1 above),

a category definer for defining categories for association with said regions, and a category scorer for assigning a scoring value to each of said regions in accordance with a respective associated category, said scoring to comprise input to a predefined logical rule to arrive at a medical analysis that takes account of said parameter (note the rejections of claim 1 above and claim 11 for the medical parameters of the patient).

As to claim 19, Screen Capture in view of Woodring teaches the system of claim 17, wherein said user selectable points are for changing dynamically with change in a patient's medical condition (system will be updated when changing in the security or privacy levels; Woodring, the current settings are displayed along with updated patient data, e.g., [0076]).

As to claim 20, Screen Capture in view of Woodring teaches the system of claim 17, wherein said logical rule is a combining rule taking input from at least one other parameter (Screen Capture shows that the user can set (preset) the system as default setting, figs. 9-11).

As to claim 22, Screen Capture in view of Woodring teaches a method according to claim 21, wherein at least one of said parameters is a body measurement and said output is a medical instruction (instructions by recommendations/comments on each level of the settings, figs. 3-9).

9. Claims 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft Screen Captures (herein after Screen Capture, Microsoft Windows Version 4.0, Copyright 1981-1998, Figures 1-11) in view of Woodring et al. (U.S. Pub. No. 2003/0062045 A1), and further in view of Whitworth (U.S. Pub. No. US 2001/0034717 A1).

As to claim 18, the modified Screen Capture still does not show that user selectable points are for selecting according to a patient medical history. Whitworth clearly discloses medical history of a patient ([0184] of page 11). It would have been obvious at the time of the invention, a person with ordinary skill in the art would want to be able to view the patient's medical history of Whitworth in the modified Window Screen Capture to help users/doctors comparing information during treatment or keeping records for later usage.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gilmore et al. (U.S. Patent No. 5,931,160) teach adjusting medical parameters, alarms, remotely access, and different levels (cols. 2-21 and figs. 5-14).

Reuss et al. (U.S. Patent No. 6,406,426 B1) teach wireless communications, patient monitoring, mobile patients, parameters, and alert system (cols. 2-16).

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 571-272-4134. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong

03/20/05

BA HUYNH
PRIMARY EXAMINER